

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 14-20780

Hon. Matthew F. Leitman

v.

CURTIS SCOTT,

Defendant.

ORDER (1) DENYING DEFENDANT’S MOTION TO ADJOURN TRIAL (ECF #71) AND (2) GRANTING IN PART AND DENYING IN PART DEFENDANT’S MOTION TO EXCLUDE EVIDENCE (ECF #69)

On February 19, 2016, Defendant Curtis Scott (“Scott”) filed a motion to exclude the Government from offering certain evidence against him at trial (the “Motion to Exclude”). (See ECF #69.) On February 22, 2016, Scott filed a motion to adjourn his currently scheduled March 1, 2016, trial date (the “Motion to Adjourn”). (See ECF #71.) The Court held a hearing on both motions on February 26, 2016.

For the reasons stated on the record at the February 26, 2016, hearing, **IT IS HEREBY ORDERED** that the Motion to Adjourn (ECF #71) is **DENIED**. **IT IS FURTHERED ORDERED**, for the reasons stated on the record, that the Motion to Exclude (ECF #69) is **GRANTED IN PART AND DENIED IN PART** as follows:

1. The evidence reflected and described in Exhibit A to the Government’s response to the Motion to Exclude (ECF #75-2) is excluded and shall not be mentioned and/or offered into evidence by the Government at trial unless

and until the Government obtains express permission from the Court on the record or in a written order.

2. The evidence reflected and described in Exhibits C and D to the Government's response to the Motion to Exclude (ECF ## 75-4, 74-5) is excluded and shall not be mentioned and/or offered into evidence by the Government at trial unless and until the Government obtains express permission from the Court on the record or in a written order.
3. The law enforcement officers who participated in Scott's arrest on or about November 21, 2014, may testify as to the Dodge minivans they found in Mr. Scott's driveway, the condition of the minivans, the content of the minivans, and that one of the minivans had been stolen. In addition, the fact that Mr. Scott has previously pleaded guilty to receiving the stolen minivan found in his driveway is admissible at trial. There shall be no testimony about and/or mention of any alleged connection between Mr. Scott and the actual theft of the minivan by a teenager unless and until the Government obtains express permission from the Court on the record or in a written order.

IT IS SO ORDERED.

Dated: February 26, 2016

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 26, 2016, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

(313) 234-5113